



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:) Group Art Unit: 3627
Ronald Katz)
Examiner: James S. McClellan)

Serial No.: 09/691392

Filed: 17 October 2000

Atty. File No.: PAT-009C

For: METHODS AND APPARATUS FOR INTELLIGENT SELECTION OF GOODS AND SERVICES
IN TELEPHONIC AND ELECTRONIC COMMERCE

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO-1449 are being called to the attention of the Examiner.

☒ Copies of the cited foreign patents and/or U.S. patents and/or non-patent references are enclosed herewith.

☐ Copies of the cited U.S. patents and/or U.S. patent application publications are not enclosed in accordance with the waiver dated July 11, 2003, whereby patent applications filed after June 30, 2003 and international applications that have entered the national stage under 35 U.S.C. § 371 after June 30, 2003 need not submit copies of the U.S. patents and U.S. patent application publications.

☐ Are not enclosed, in accordance with 37 C.F.R. 1.98(d), because the references were submitted to the U.S. Patent and Trademark Office in prior application Serial No. _____ filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

To the best of the applicants' belief, the pertinence of the foreign-language references are believed to be summarized in the attached English abstracts and in the figures, although applicants do not necessarily vouch for the accuracy of the translation.

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

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Michele A. Zarinelli
Michele A. Zarinelli

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☐ Examiner's attention is directed to the following co-pending application(s) for which priority is not being claimed, copies have been or are being submitted:

Serial No. _____ filed _____ (Atty. Dckt. No. _____)
Serial No. _____ filed _____ (Atty. Dckt. No. _____)
Serial No. _____ filed _____ (Atty. Dckt. No. _____)
Serial No. _____ filed _____ (Atty. Dckt. No. _____)
Serial No. _____ filed _____ (Atty. Dckt. No. _____)
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Serial No. _____ filed _____ (Atty. Dckt. No. _____)

☒ Examiner's attention is directed to the following co-pending application(s), to which the current application claims priority, copies of at least the claims for such pending application are provided or have been provided:

Serial No. 09/505,691 filed 16 February 2000 (Atty. Dckt. No. PAT-009B)
Serial No. _____ filed _____ (Atty. Dckt. No. _____)
Serial No. _____ filed _____ (Atty. Dckt. No. _____)
Serial No. _____ filed _____ (Atty. Dckt. No. _____)
Serial No. _____ filed _____ (Atty. Dckt. No. _____)
Serial No. _____ filed _____ (Atty. Dckt. No. _____)
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Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

FEES

<input type="checkbox"/>	<p>37 CFR 1.97(b): No fee is believed due in connection with this submission, because the Information Disclosure Statement submitted herewith satisfies one of the following conditions ("✓" indicates satisfaction):</p> <p><input type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or</p> <p><input type="checkbox"/> Within three months of the date of entry into the national state of an international application as set forth in 37 CFR 1.491, or</p> <p><input type="checkbox"/> Before the mailing date of a first Office Action on the merits, or</p> <p><input type="checkbox"/> Before the mailing of a first Office Action after the filing of a Request for Continued Examination (RCE) under 37 CFR 1.114.</p> <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 501880.</p>
<input checked="" type="checkbox"/>	<p>37 CFR 1.97(c): The Information Disclosure Statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of one of the following conditions:</p> <p><input checked="" type="checkbox"/> (1) a final action under 37 C.F.R. 1.113, or</p> <p><input type="checkbox"/> (2) a notice of allowance under 37 C.F.R. 1.311, or</p> <p><input type="checkbox"/> (3) an action that otherwise closes prosecution in the application.</p> <p>This Information Disclosure Statement is accompanied by:</p> <p><input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 501880</p> <p style="text-align: center;">OR</p> <p><input checked="" type="checkbox"/> Enclosed is PTO 2038 (Credit Card Payment Form) in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an Information Disclosure Statement. Please credit any overpayment or charge any underpayment to Deposit Account 501880.</p>
<input type="checkbox"/>	<p>37 C.F.R. 1.97(d): This Information Disclosure Statement is being submitted after the period specified in 37 C.F.R. 1.97(c).</p> <p><input type="checkbox"/> This Information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e)</p> <p style="text-align: center;">AND</p> <p><input type="checkbox"/> Applicants hereby requests consideration of the reference(s) disclosed herein. Enclosed is the fee in the amount of \$180.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Deposit Account 501880. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.</p>



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Certification (37 C.F.R. 1.97(e))
(Applicable only if checked)

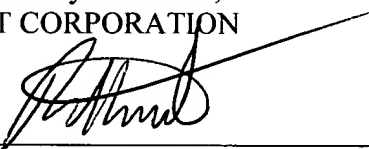
- ☐ The undersigned certifies that:
- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).
 - ☐ A copy of the communication from the foreign patent office is enclosed.

OR

- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,
WEST CORPORATION

Dated: 11 JAN 05

By: 
Rocco L. Adornato
Reg. No. 40,480



29129

PATENT & TRADEMARK OFFICE

WEST CORPORATION
11808 Miracle Hills Drive
Omaha, NE 68154

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	09/691,392
Filing Date	17 October 2000
First Named Inventor	Katz, et al.
Art Unit	3627
Examiner Name	McClellan, James S.
Attorney Docket Number	PAT-009C

Sheet	1	of	6
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U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)	MM-DD-YYYY			
	93	WO 02/25909 A2	03-28-2002	Haughwout, James Paul		
	95	WO 97/20279	06-05-1997	Nash, Paul, et al.		
	96	WO 02/19203 A2	03-07-2002	Gregov, Andrej, et al.		
	97	WO 00/38122	06-29-2000	Walker, Jay S., et al.		
	98	WO 00/34910	06-15-2000	Simoudis, Evangelos, et al.		
	99	WO 01/24032 A2	04-05-2001	Rausser, John, et al.		

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		Country Code ³ *Number ⁴ *Kind Code ⁵ (if known)				
	100	WO 00/51050	08-31-2000	Bongiovanni, Michele, et al.		
	101	WO 00/10069	02-24-2000	Walker, Jay S., et al.		
	102	WO 98/43149	01-01-1998	Walker, Jay S., et al.		
	103	WO 01/37183 A1	05-25-2001	Borg, Alan S., et al.		

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3

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6

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	104	NIELSON MEDIA RESEARCH, Who We Are And What We Do, www.nielsenmedia.com.	
	105	MOXON, BRUCE, Data Mining: The Golden Promise, www.oreview.com, 1997, pgs. 1-14.	
	106	CHIRANKY, LISA, Web Power: Taking Call Centers To New Dimensions, Internet & Call Center Solutions, www.tmcnet.com, 1997.	
	111	Able Solutions, Able Solutions Announces AbleCommerce 2.6, PR NEWSWIRE, 09-15-1998.	
	112	RESNICK, PAUL, GroupLens: An Open Architecture for Collaborative Filtering of Netnews, Proceedings of ACM 1994 Conference on Computer Supported Cooperative Work, pgs. 175-186.	
	113	Net Perceptions, Inc., Building Customer Loyalty and High-Yield Relationships Through GroupLens Collaborative Filtering, White Paper, 11-19-1996.	

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	Filing Date	17 October 2000
	First Named Inventor	Katz, et al.
	Art Unit	3627
	Examiner Name	McClellan, James S.
Sheet <u>4</u> of <u>6</u>	Attorney Docket Number	PAT-009C

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	114	NASH, EDWARD L., Direct Marketing, Strategy, Planning, Execution, Third Edition McGraw-Hill, Inc., 1995, pgs. 164-165, 364-367.	
	115	MILLER, BRADLEY N., Experiences with GroupLens: Making Usenet Useful Again, University of Minnesota, Abstract.	
	116	AVERY, CHRISTOPHER, Recommender Systems for Evaluating Computer Messages, Communications from the ACM, 03-1997, pgs. 88-89, vol. 40, no. 3.	
	117	BALABANOVIC, MARKO, Fab: Content-Based, Collaborative Recommendation, Communications of the ACM, 03-1997, pgs. 66-72, vol. 40, no. 3.	
	118	BRIER, STEVEN E., Smart Devices Peep Into Your Grocery Cart, New York Times, 07-16-1998, section G, pg. 3, column 3.	
	119	TERVEEN, LOREN, Phoaks: A System for Sharing Recommendations, Communications of the ACM, 03-1997, pgs. 59-62, vol. 40, no. 3.	
	120	SHARDANAND, UPENDRA, Social Information Filtering: Algorithms for Automating "Word of Mouth", MIT Media-Lab, Abstract.	
	121	TEHRANI, NADJI, Hardware, Software...Humanware, Telemarketing & Call Center Solutions, 09-1997, pg. 3, vol. 16, no. 3.	
	122	RUCKER, JAMES, Siteeer: Personalized Navigation for the Web, Communications of the ACM, 03-1997, pgs. 73-76, vol. 40, no. 3.	
	123	MALTZ, DAVID, Pointing the Way: Active Collaborative Filtering, CHI '95 Proceedings, 1995, Abstract.	

Examiner Signature		Date Considered	
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Sheet

5

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6

NON PATENT LITERATURE DOCUMENTS

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	125	iCat, iCat Electronic Commerce Suite Takes "Best of Show" Award at WebINNOVATION 97, PR Newswire, 06-24-1997.	
	126	iCat, iCat's Commerce Suite Makes Setting up Shop on the 'net Even Easier Than High Street, M2 Presswire, 02-19-1997.	
	127	Internet World, IBM to Expand E-Comm Features, Newsbytes News Network, 12-16-1996.	
	128	KAUTZ, HENRY, Referral Web: Combining Social Networks and Collaborative Filtering, Communications of the ACM, 03-1997, pgs. 63-65, vol. 40, no. 3.	
	129	KONSTAN, JOSEPH A., GroupLens: Applying Collaborative Filtering to Usenet News, Communications of the ACM, 03-1997, pgs. 77-78, vol. 40, no. 3.	
	130	GREEN, HEATHER, The Information Gold Mine, Business Week e.biz.	
	131	BARAN, PAUL, Some Changes in Information Technology Affecting Marketing in the Year 2000, Changing Marketing Systems, 1967 Winter Conference, Dec. 27-29, 1967, pgs. 76-77, no. 26.	
	132	THEARLING, KURT, From Data Mining To Database Marketing, DIG White Paper, 10-01-1995.	

Examiner
SignatureDate
Considered

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known			
		Application Number	09/691,392		
		Filing Date	17 October 2000		
		First Named Inventor	Katz, et al.		
		Art Unit	3627		
		Examiner Name	McClellan, James S.		
Sheet	6	of	6	Attorney Docket Number	PAT-009C

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	134	FALOUTSOS, CHRISTOS, A Survey Of Information Retrieval And Filtering Methods, University of Maryland, Abstract, pgs. 1-22.	
	135	DRAGAN, RICHARD, Advice From The Web, PC Magazine, 09-09-1997, pg. 133(7), vol. 16, no. 15.	
	136	DELGADO, JOAQUIN, Intelligent Collaborative Information Retrieval, Nagoya Institute of Technology, Abstract.	
	137	DELGADO, JOAQUIN, Content-Based Collaborative Information Filtering: Actively Learning To Classify And Recommend Documents, Nagoya Institute of Technology, Abstract.	
	138	GAITHER, CHRIS, Google Designs An Engine For Eggheads, Los Angeles Times, 12-27-2004, C1, C5.	

Examiner Signature		Date Considered	
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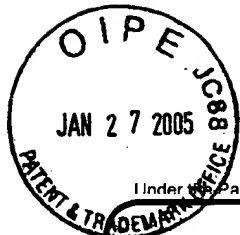
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Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Complete if Known

Application Number	09/691,392
Filing Date	17 October 2000
First Named Inventor	Ronald A. Katz
Examiner Name	James McClellan
Art Unit	3627
Attorney Docket No.	PAT-009C

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____
☒ Deposit Account Deposit Account Number: 501880 Deposit Account Name: West Corporation

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims	Extra Claims	Fee (\$)
- 20 or HP = _____ x _____ = _____		
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
- 3 or HP = _____ x _____ = _____		
HP = highest number of independent claims paid for, if greater than 3.		

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets _____ Extra Sheets _____ Number of each additional 50 or fraction thereof _____ Fee (\$) _____ Fee Paid (\$) _____
- 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Information Disclosure Fee

Fees Paid (\$)

180.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 40,480	Telephone 888-575-6335
Name (Print/Type)	Rocco L. Adornato	Date	24 JAN 05

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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